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May 26, 1994

**Encompass**   
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Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N. W.  
Room 222  
Washington, D. C. 20554

RE: Oral Ex Parte Presentation in PP Docket No. 93 - 253 --  
Competitive Bidding

Dear Mr. Caton:

Pursuant to Section 1.1206 (a) (2) of the Commission's Rules, 47 C.F.R. § 1.1206 (a) (2) (1992), this is to provide an original and one copy of the notice of oral ex parte presentation made in the above-referenced rulemaking proceeding by the undersigned on behalf of Encompass, Inc.

On May 20, 1994, Dave Lasier, Chief Executive Officer of Encompass, Inc. met with Don Gips, Greg Rosston, and Peter Tenhula of the Office of Plans and Policy to discuss the Commission's competitive bidding proposals, small business participation in the broadband PCS auctions, the importance of "set asides" for small business, and bidding credits for small business. A copy of the written materials presented at the meeting are attached.

Should any further information be required with respect to this ex parte notice, please contact the undersigned.

Respectfully submitted,



Dave Lasier

Attachment

cc: Don Gips  
Greg Rosston  
Peter Tenhula

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***Dave Lasier  
Encompass, Inc.***

# Encompass' Current Activity

- ☐ Providing services in
  - ☐ Network, RF, microwave engineering
  - ☐ Market planning
  - ☐ Business case modelling and auction strategy
  - ☐ Operations support
  - ☐ Site analysis and acquisition services
  - ☐ Technology assessment
  - ☐ Equipment and interconnect negotiation
  - ☐ Business development and application support for wireless opportunities worldwide
- ☐ Working closely with several network infrastructure and terminal manufacturers
- ☐ Supporting several potential PCS operators with PCS business plan development, technology assessment and engineering services

# Proposed Set Aside for SWMR

## ***BTA***

- ◆ 20 MHz (minimum) BTA set-aside in lower PCS band for SWMR with associated 10 year installment payments and no interest

# Justification for Set Aside

- ◆ Represents a major opportunity for the hundreds of Small, Women and Minority-owned businesses and Rural Telcos
- ◆ Ensures diversity of licensees
- ◆ Encourages new infrastructure and technology investments
- ◆ Expedites new Personal Communication Services
- ◆ Increases auction value of other bands
- ◆ Distributes license costs equitably and eliminates capital advantages as a barrier to entry
- ◆ The risk to interoperability is extremely high without an independent set aside band given the lack of standards, the RBOCs' behavior on digital cellular and their incentives to delay PCS

# PCS Technical Considerations

- ◆ Operators will decide the standards, technology, and interoperability
  - ◆ Use of any available technology in the world to deploy
  - ◆ No ANSI requirement that will restrict technology
- ◆ Equal treatment and fair rules for all Wireless Operators
  - ◆ Collection in Central Offices
  - ◆ Numbering (NPA, NXX, 500 Numbers)
  - ◆ Access to numbering system
  - ◆ Access to SS7 signaling and interconnect
  - ◆ LEC can not discriminate on number transactions
  - ◆ Collection on existing towers located on public R/W
- ◆ Cannot be denied access to public R/W and conduit infrastructure
- ◆ Power Limitation on down link up to 1200 watts
- ◆ Universal Policy - no extraordinary council approval or zoning for wireless towers under 30 meters

# **Proposed Ownership Articulation and Control Rules**

- ◆ **≥ 50.1% Ownership and Equity by License Holder (General Partner).**
- ◆ **≥ 20.0% Control of the Operating Business (Limited Partnership).**
- ◆ **Equity, Not Debt, Used to Determine Ownership Interest. Exempt Convertible Debt that Cannot Convert for at Least 5 Years.**
- ◆ **SWMR has full access to any line of credit available commercially or privately.**